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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,541	04/27/2006	Christopher W. Cline	FIS920030079US1	2592

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INTERNATIONAL BUSINESS MACHINES CORPORATION
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2070 ROUTE 52
HOPEWELL JUNCTION, NY 12533

EXAMINER

HOLLINGTON, JERMELE M

ART UNIT	PAPER NUMBER
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2829

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12/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DETAILED ACTION

Advisory Action

Response to Arguments

1. Applicant's arguments filed Nov. 11, 2008 have been fully considered but they are not persuasive.

The applicants' argue: *"Bohlen does not describe or suggest the recited "an array of probes which contact said bottom surface conductive features", of independent Claims 1 and 24. In contrast, the collectors 13, 14 of Bohlen clearly do not contact the conductor feature 1. In addition, it is respectfully submitted that the electron beam system of Bohlen is fundamentally different from the ionization source described by applicants' claims. Accordingly, independent Claims 1 and 24 are believed to be patentable over Bohlen. Therefore, reconsideration and withdrawal of the rejection is respectfully requested."*

In regards to the arguments above, the examiner disagrees. In the MPEP it states that USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). With that in mind, collectors 13, 14 are electrically contacting the bottom surface of the conductor feature 1 since the collectors are connected to conductors ends 3 and 4 which is connected with the conductor feature 1. Therefore, the examiner believes the prior art still reads on the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:00 EST) First Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jermele M. Hollington/
Primary Examiner
Art Unit 2829

/J. M. H./
December 1, 2008